



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

August 3, 2011

CBCA 2275-TRAV

In the Matter of THAD S. HAND

Thad S. Hand, Patuxent River, MD, Claimant.

Bonnie Petree, Head/Travel Office Customer Service Division, Comptroller Group, Naval Air Warfare Center Aircraft Division, Department of the Navy, Patuxent River, MD, appearing for Department of the Navy.

STEEL, Board Judge.

Claimant, Thad S. Hand, is a civilian employee of the Navy whose permanent duty station (PDS) is at the Naval Air Station at Patuxent River, Maryland. He was scheduled to travel on a temporary duty assignment (TDY) to Lagos, Nigeria, from January 18 to January 28, 2011.

In preparation for his travel, on January 3, 2011, Mr. Hand received inoculations costing \$301 from a doctor not affiliated with the available federal dispensary. The doctor also prescribed two prophylactic prescriptions for his travel, which Mr. Hand filled at a pharmacy at a total cost of \$765.88.

Mr. Hand paid for these inoculations and medications, but the travel authorization issued on January 6, 2011, contained no mention of these expenses. The Government declined to cover the medical expenses, and Mr. Hand requests reimbursement of their costs, \$1066.88.

Appendix G of the Defense Department's Joint Travel Regulations (JTR), provides that among the expenses that may be reimbursed for TDY travelers are:

Disease Prevention Measures: When authorized/approved, charges for inoculations and other disease preventive medical prophylaxes (e.g., oral anti-malarial prophylaxis) that are not available through a Federal dispensary for OCONUS [outside the continental United States] travel. This does not include travel expenses incurred for obtaining the required inoculations.

Thus, in order to recover his medical expenses, Mr. Hand would have to show that 1) the medical expenses were authorized/approved in his travel authorization, and 2) these services and medications for which he paid were not available through a federal dispensary for OCONUS travel. Mr. Hand is unable to satisfy either requirement.

Mr. Hand states that he was aware of two colleagues who were reimbursed for similar extra-clinic medical purchases. Perhaps those colleagues' medical expenditures were authorized in their travel vouchers. In any event, Mr. Hand's travel authorization did not approve these additional medical expenses, so he fails to satisfy the first criterion.

Second, Mr. Hand did not utilize the free federal dispensary located at his PDS. The record shows that a federal dispensary was available for provision of disease prevention measures at the Patuxent Naval Air Station. Mr. Hand argues that he was unaware that he was eligible to utilize the federal dispensary, but he could have learned that the dispensary was available to him by a simple inquiry of the travel office. Because the dispensary was available for OCONUS travel, under the JTR, Appendix G, Mr. Hand is not eligible for reimbursement of privately-secured inoculations and medications.

Mr. Hand has acknowledged his error and understands that he is not eligible for reimbursement under the JTR, but asks that an exception be made because of the size of the expenditure. Unfortunately for Mr. Hand, this Board is bound by the JTR and cannot grant exceptions to its clear rules.

Decision

The claim is denied.

CANDIDA S. STEEL
Board Judge

